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Illinois Commerce Commission  
RAIL SAFETY SECTION

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October 8, 2003

Kevin L. Sharpe  
Director of Processing and Information  
527 East Capital Avenue  
Springfield, IL 62701

PROGRESS

**Re: Village of Rockton, et al. v. Iowa, Chicago & Eastern Railroad, et al.**  
**Case No.: T02-0105**  
**Progress Report**

Dear Mr. Sharpe

Pursuant to the Order of the Commission dated March 12, 2003 in the above matter, please allow this correspondence to serve as a notice of the progress made to completion of the work required in the Order.

As provided in the Village's Petition, the crossing project was tied to the Village receiving a grant from the Department of Natural Resources. Regulations governing the DNR Grant prohibited entering into an agreement or even negotiating with the landowner until the grant was issued. Such constraints delayed initiation of the project. At this time, the Village has reached an agreement in principle with the landowner that is currently being reduced to writing.

In July the Village transmitted plans to the Railroad for construction of the Crossing. Shortly thereafter, in communications between the Village Engineer and IC&E's Vice President of Engineering, IC&E indicated that they were ready to order the equipment. However, due to subsequent miscommunication between the Village and the Railroad, the signals were not ordered until September. According to IC&E, the signals will be available in six months.

The Village and Railroad have agreed to begin work on the approach and crossing surface in October and expect to complete the work before the inclement weather. Such surface work should complete the Village's responsibility for construction under the Order. However, because

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the length of time to obtain the parts, the signals will not installed until the spring. The parties remain hopeful that project will be timely completed.


Finally, the Railroad and Village have agreed in principal on and Easement Agreement which is in the process of being executed by the Parties.

Please contact me if you have any questions or need any additional information.

Respectfully Submitted,

Village of Rockton, Petitioner

By: Nicolosi and Associates, P.C., Village Attorney

By:   
Robert C. Torbert, one of its Attorneys

cc: See Attached Service List

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**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

VILLAGE OF ROCKTON, )  
WINNEBAGO COUNTY, ILLINOIS )

Petitioner, )

vs. )

IOWA, CHICAGO & EASTERN )  
RAILROAD CORPORATION, A )  
DELEWARE CORPORATION )  
AND THE STATE OF ILLINOIS, )  
DEPARTMENT OF )  
TRANSPORTATION, DIVISION OF )  
HIGHWAYS, )

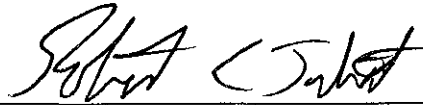
General No. T02-0105

Respondents )

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**PROOF OF SERVICE / CERTIFICATE OF MAILING**

I, ROBERT C. TORBERT, being first duly sworn on oath, states that he did deposit a copy of the PROGRESS REPORT attached hereto upon the Persons on the attached SERVICE LIST by placing a true and correct copy of the same in an envelope, postage prepaid, and by depositing the same in a U.S. Postal Service mailbox in Rockford, Illinois, on or about the hour of 5 p.m. on October 8, 2003.



Robert C. Torbert

SUBSCRIBED and SWORN to before me on this 8th day of October, 2003

Lisa K Blankenship



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Rockford, Illinois 61107  
(815) 229-5789

**Service List**

Iowa, Chicago & Eastern Railroad  
c/o Beth Lynn, Engineering Dept.  
140 N. Phillips  
Sioux Falls, SD 57104

Iowa, Chicago & Eastern Railroad  
c/o Jim Helenhouse, *Esq.*  
Two Prudential Plaza, Suite 3125  
180 North Stetson Avenue  
Chicago, Illinois 60601-6721

Alliant Energy Corporation  
c/o Ronald E. Conard  
4902 North Biltmore Lane  
P.O. Box 77007  
Madison, Wisconsin 53707-1007

Winnebago County  
c/o Joe Vanderwerff  
424 N. Springfield  
Rockford, IL 61101